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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,968	09/17/2003	Frank T. Hady	02207/797902	8602
26646	7590	04/20/2004	EXAMINER	
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			SUAREZ, FELIX E	
			ART UNIT	PAPER NUMBER
			2857	
DATE MAILED: 04/20/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/666,968	Applicant(s) HADY ET AL. er	
	Examiner Felix E Suarez	Art Unit 2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.
 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-34 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☒ Claim(s) 19-34 is/are allowed.
 6) ☐ Claim(s) _____ is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/10.31.03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because:

In FIG. 1, the symbols are not readable.

Correction is required.

Minor Informalities

2. The disclosure is objected to because of the following informalities:

IN THE SPECIFICATION:

The following paragraph should be added at the top of page 1: -- This application is a continuation of U.S. Application Serial No. 09/540,481 filed on March 31, 2000, now Pat. No. 6,564,175, which was a continuation-in part of U.S. Application Serial No. 09/539,940 filed on March 31, 2000, now Pat. No. 6,647,349, which was a continuation-in part of U.S. Application Serial No. 09/098,412 filed on June 16, 1998, now Pat. No. 6,026,139--.

Appropriate correction is required.

Allowable Subject Matter

3. Claims 19-34 are allowable.

4. The following is a statement of reasons for the indication of allowable subject matter:

Claims 19-34 are allowable because the prior art, particularly Satyamurti et al. [U.S. Patent No. 6,418,405] (hereafter Satyamurti), Nagel [U.S. Patent No.

6,071,317], Kardach [U.S. Patent No. 6,018,803] and Soenen et al. [U.S. Patent No. 5,327,129] (hereafter Soenen) fail to teach or suggest a system, comprising:

a bridge device to communicate information between the host bus and the peripheral interface bus, the bridge device including a multi-mode measurement arrangement to measure at least one of a metric and a performance parameter of the system, wherein the system is operable to perform the following step:

if the comparison result at least indicates that the actual parameter is no less than the reference parameter, performing at least one of replacing the reference parameter with the actual parameter to provide the next reference parameter and providing the at least one identification parameter.

With respect to claim 29, Satyamurti, Nagel, Kardach and Soenen also fail to teach or suggest a method of determining an inter-arrival time distribution for a processor bus queue, comprising:

using an inactive input arrival signal from the processor bus queue to stop the counter and cause a comparing arrangement to compare a count for an event and a bucket register value, and to reset the counter

With respect to claim 32, Satyamurti, Nagel, Kardach and Soenen also fail to teach or suggest a method of identifying a maximum queue service time, comprising:

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finding a cycle that occurs after a maximum buffer empty time; nor using a head event of a queue blocking time to find the maximum queue service time.

5. This application is in condition for allowance except for the formal matters noted above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix Suarez, whose telephone number is (571) 272-2223. The examiner can normally be reached on weekdays from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on (571) 272-2216. The fax phone numbers for the organization where this application or proceeding is assigned


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are (703) 308-7382 for regular communications and (703) 308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

April 19, 2004

F.S.


MARC S. HOFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800